

HOUSE RESOLUTION 215  
By Turner (Ham)

A RESOLUTION concerning alternative schools.

WHEREAS, Tennessee Code Annotated, Section 49-6-3402(a), requires each local education agency (LEA) to establish, and have available, at least one alternative school for students in grades seven (7) through twelve (12) who have been suspended or expelled from the regular classroom; and

WHEREAS, each LEA receives basic education program (BEP) funding for the specific purpose of complying with the requirements of Tennessee Code Annotated, Section 49-6-3402; and

WHEREAS, a 1998 report of the comptroller's office of education accountability found that fifteen percent (15%) or more of expelled students do not have access to alternative schools, (despite LEA receipt of BEP funding and notwithstanding the requirements of Section 49-6-3402 to the contrary); and

WHEREAS, Tennessee Code Annotated, Section 49-6-3402(b), requires each LEA to operate alternative schools in accordance with state board of education rules; and

WHEREAS, the 1998 report of the office of education accountability also found that state board of education rules are generally silent on the topic of alternative schools, (such rules do not define specific curriculum for alternative schools, do not define the extra services that should

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be provided within alternative schools and do not define the goals of the alternative school program); and

WHEREAS, Tennessee Code Annotated, Section 49-6-3402(b), further requires each LEA to conduct alternative school instruction in a manner, as nearly as practicable, in accordance with instructional programs implemented in the regular classroom; and

WHEREAS, a 1995 report of the office of education accountability found that many alternative schools merely function as study halls rather than providing critically needed academic instruction and intensive social intervention; and

WHEREAS, recently enacted federal, state and local zero tolerance policies have dramatically increased the number of student expulsions, (552 students were expelled for zero tolerance offenses during the 1994-1995 school year, while 2,365 students were expelled for zero tolerance offenses during the 1996-1997 school year); and

WHEREAS, insufficient or non-existent alternative school programs negatively affect the health, safety and welfare of students, faculty and the public-at-large; and

WHEREAS, insufficient or non-existent alternative school programs significantly impair the state's ability to efficiently and effectively manage its limited financial resources and operate the department of children's services; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE-HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, That the governor, the state board of education and the commissioner of education are hereby urged to work collaboratively and vigorously to ensure that all LEAs fulfill their legal and societal duty to provide alternative schools of quality.

BE IT FURTHER RESOLVED, That the state board of education is hereby urged to expeditiously develop, promulgate and enforce rules to ensure sufficient availability of alternative schools offering intensive academic instruction and social intervention.

BE IT FURTHER RESOLVED, That the governor, the state board of education and the commissioner of education are hereby urged to jointly develop and implement a competitive grant program to annually designate, financially reward and publicize statewide those few alternative schools within Tennessee that are truly worthy of emulation as model programs.

BE IT FURTHER RESOLVED, That the governor, the state board of education and the commissioner of education are hereby urged to jointly publish, by October 1, 1998, a report on the state of alternative schools in Tennessee and on efforts to ensure the sufficient availability of alternative schools of quality across the state.

BE IT FURTHER RESOLVED, That the governor, the state board of education and the commissioner of education are urged to submit such report to the education oversight committee, the select committee on children and youth, the children and family affairs committee of the house of representatives and the office of education accountability within the department of audit.

BE IT FURTHER RESOLVED, That an appropriate copy of this resolution be prepared and delivered to the governor, to each member of the state board of education and to the commissioner of education.